

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA

CHARLESTON DIVISION

KRISTEN CHASTAIN,

Plaintiff,

v.

CIVIL ACTION NO. 2:19-cv-00090

BOSTON SCIENTIFIC CORPORATION,

Defendant.

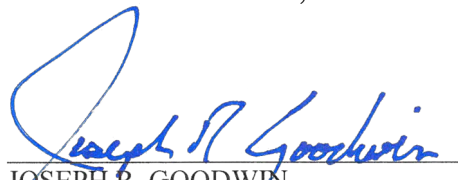
MEMORANDUM OPINION AND ORDER

Pending is Defendant Boston Scientific Corporation's Motion to Dismiss with Prejudice, filed May 7, 2019. [ECF No. 8]. In the Motion, defendant seeks dismissal of plaintiff's case with prejudice because she improperly filed her action directly into the MDL after the court had ended this procedure. Plaintiff has not responded to the motion.

In light of the absence of a response from plaintiff and for reasons appearing to the court, the court **ORDERS** that Defendant Boston Scientific Corporation's Motion to Dismiss with Prejudice [ECF No. 8] is **GRANTED** to the extent defendant seeks dismissal and is otherwise **DENIED**. This case is dismissed without prejudice and stricken from the docket.

The court **DIRECTS** the Clerk to send a copy of this Order to counsel of record and any unrepresented party.

ENTER: June 11, 2019



JOSEPH R. GOODWIN
UNITED STATES DISTRICT JUDGE